

CASE NUMBER: 15SN0649

APPLICANT: Chad White



**STAFF'S ANALYSIS
AND
RECOMMENDATION**

Planning Commission (CPC)

Public Hearing Date:

JUNE 16, 2015

CPC Time Remaining:

100 DAYS

Applicant's Contact:

CHAD WHITE

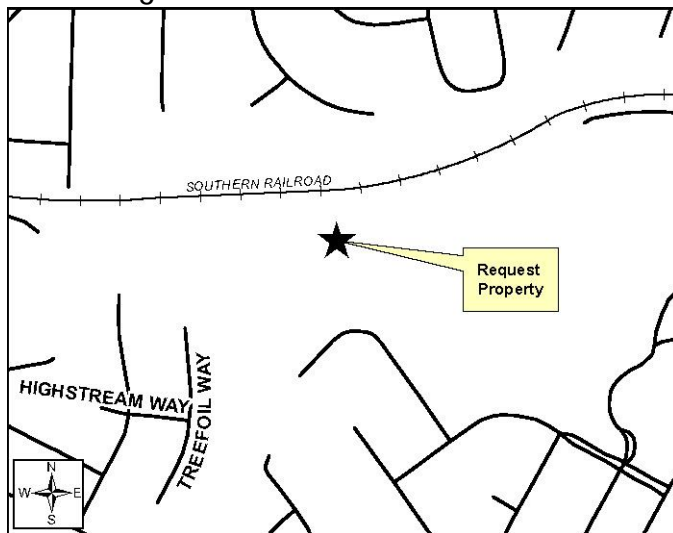
(804-615-1203)

Planning Department Case Manager:

RYAN RAMSEY (804-768-7592)

CHESTERFIELD COUNTY, VIRGINIA

Magisterial District: **MIDLOTHIAN**



APPLICANT'S REQUEST

Amendment of zoning (Case 86SN0149) to delete a use restriction plus conditional use planned development to permit an exception to public road frontage in a Residential (R-9) District.

REQUEST I: Amendment of zoning (Case 86SN0149) to delete a use restriction which required the transfer and exclusive use of the request property to and for the Greenfield Soccer Association.

REQUEST II: A two (2) lot family subdivision is planned. An exception to public road frontage requirements is requested for each of the proposed lots which will be served by an access easement from a public road (Trefoil Way).

(NOTES: A. Conditions may be imposed or the property owner may proffer conditions.

B. Proffered conditions are located in Attachment 1.

C. IF THIS CASE IS ACTED UPON BY THE PLANNING COMMISSION ON JUNE 16, 2015, IT WILL BE HEARD BY THE BOARD OF SUPERVISORS ON JUNE 24, 2015.)

RECOMMENDATION

STAFF

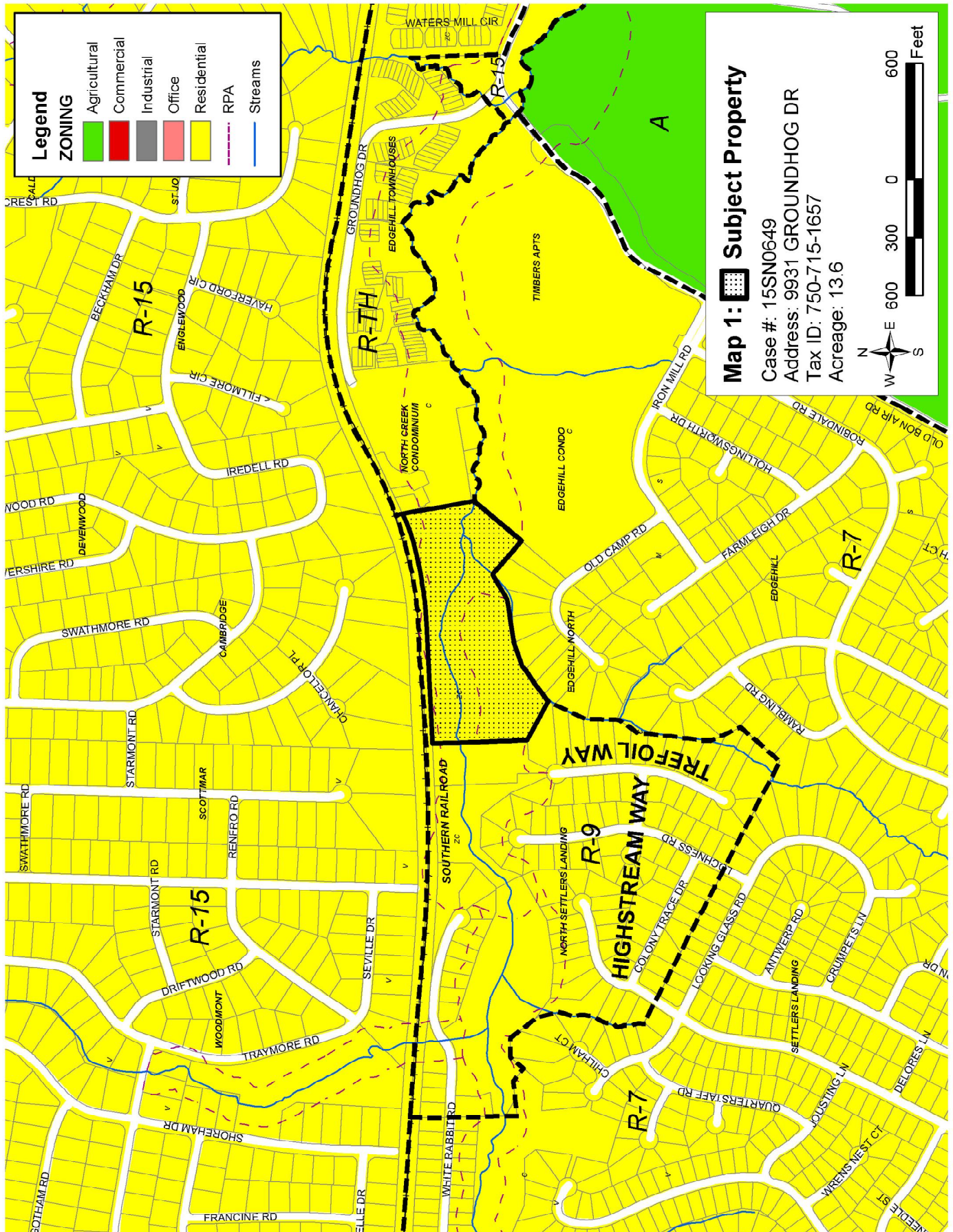
RECOMMEND APPROVAL OF REQUEST I (Amendment)

- Residential use complies with Plan
- Condition would regulate the location and feasibility of a home site, relative to the 100 year floodplain boundary

RECOMMEND APPROVAL OF REQUEST II (Conditional Use Planned Development)

- Conditions would provide sufficient access
- Limited to a family subdivision
- No practical alternatives to achieve public road frontage

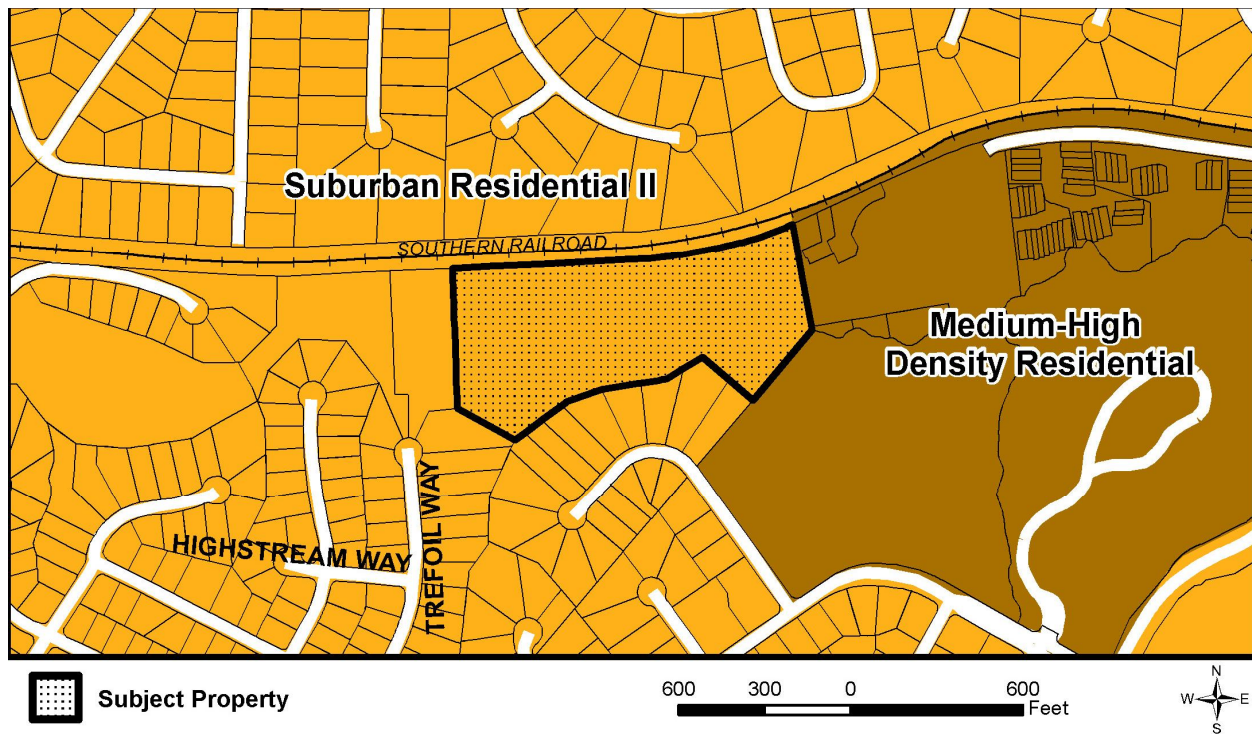
SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	-
BUDGET AND MANAGEMENT	-
FIRE	-
PARKS AND RECREATION	-
LIBRARIES	-
SCHOOLS	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-



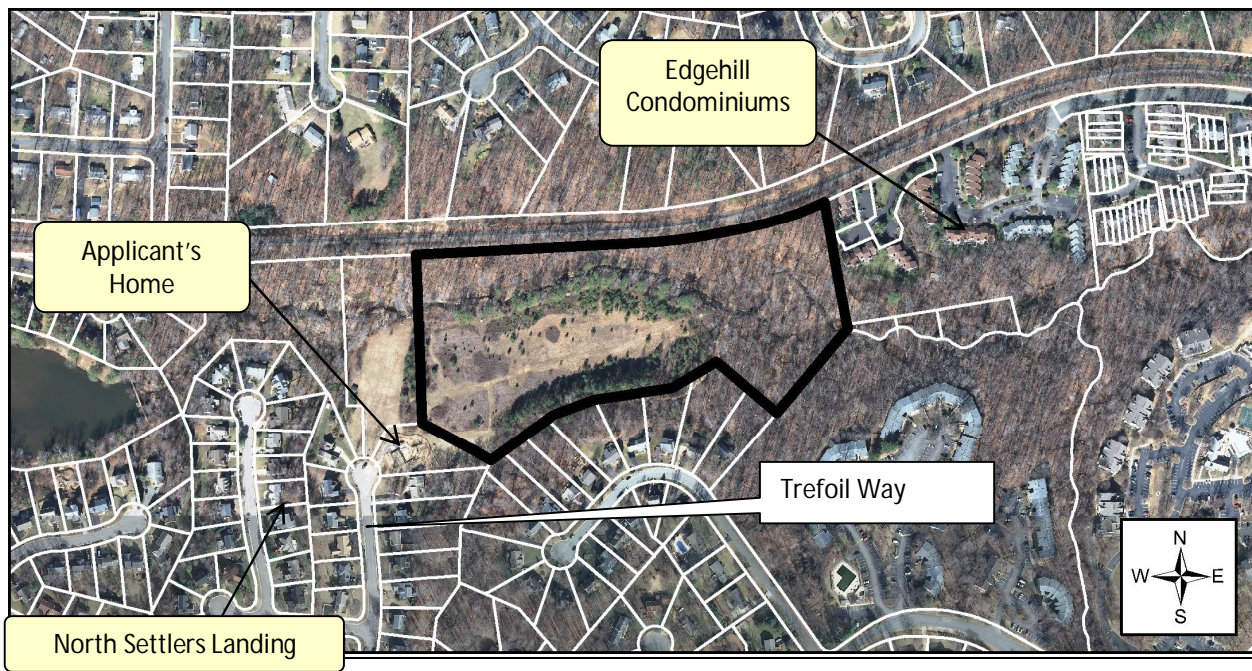
Map 2: Comprehensive Plan

Classification: **SUBURBAN RESIDENTIAL II**

The designation suggests the property is appropriate for 2.0 to 4.0 dwellings per acre.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Ryan Ramsey (804-768-7592) ramseyrp@chesterfield.gov

ZONING HISTORY

Case Number	BOS Action	Request
86SN0149	Approved (02/25/1987)	Rezone from R-TH and R-7 to R-9 for a single-family subdivision with open space. <i>Attachment 4</i>

EXISTING USE RESTRICTION

The request property is part of the parent parcel that was zoned to develop the North Settlers Landing neighborhood (Case 86SN0149). As part of the zoning request, approximately twelve (12) acres in the northeast portion of the property was to be transferred and set aside for the exclusive use of the Greenfield Soccer Association (Proffered Condition 1 of Case 86SN0149). Consequently, the property is restricted to recreational uses for the Greenfield Soccer Association only.

The request property was conveyed to the Greenfield Soccer Association in 1990. The Association did not construct any recreational fields on the property. As such, the Association conveyed the property to a Mr. Robert Ransone, Jr. in 1999, which was later purchased by the applicant and his wife in 2008.

Given the transfer of ownership by the Association to a private party and that recreational uses are no longer proposed, the applicant requests deletion of Proffered Condition 1 (Case 86SN0149) to permit Residential (R-9) uses on the property.

PROPOSAL

A family subdivision of the property into two (2) lots with no public road frontage is proposed. The applicant's proposal is to subdivide the property for an immediate family member (his mother) and retain the residual portion of property for a second buildable lot for the applicant and his wife. The subdivision would be regulated under the family subdivision final plat requirements per the Subdivision Ordinance.

The following provides an overview of the density and access standards to be evaluated with the family subdivision final plat:

General Overview	
Requirements	Details
Density	<ul style="list-style-type: none"> • Maximum of two (2) dwelling units permitted • Conveyance of property to an immediate family member only • Each dwelling on an individual lot <i>Proffered Condition 1</i>
Road Frontage & Access	<p>No road frontage required for each lot, provided access is constructed in accordance with Proffered Conditions 4, 5 and 6</p> <p><i>Proffered Condition 3</i></p>
Easement	<ul style="list-style-type: none"> • 15' private access easement from Trefoil Way to each lot • Access for each lot to be from Point A to Point B or Point C, dependent on the subdivision of the lots <p><i>Proffered Condition 4 and Attachment 3</i></p>
Driveway Standards & Inspection	<ul style="list-style-type: none"> • 12' wide roadway, either gravel or asphalt, built to the standards outlined in Proffered Condition 5: <ul style="list-style-type: none"> • Minimum clear area and vertical clearance • Maximum grade • Minimum inside turning radius • Cross drain to accommodate 10-year storm • Planning to inspect driveway prior to issuance of Certificate of Occupancy <p><i>Proffered Conditions 5 & 6</i></p>

The request property is completely surrounded by developed property. As such, staff cannot find a practical alternative to achieve state maintained road frontage for the proposed lots. Therefore, staff is supportive of the request to permit an exception to required public road frontage for the proposed single-family homes.

FINANCIAL IMPACT ON CAPITAL FACILITIES

Budget and Management

Staff Contact: Natalie Spillman (717-8767) spillmann@chesterfield.gov

The need for schools, parks, libraries, fire stations and transportation facilities in this area is identified in the County's adopted Public Facilities Plan, Thoroughfare Plan and Adopted Capital Improvement Program and further detailed by specific departments in the applicable sections of this request analysis.

The property owner has requested a conditional use planned development to permit up to two (2) residential lots intended for a family subdivision. The property was originally zoned Residential (R-9) in 1987 with Zoning Case 86SN0149. The circumstances relevant to this case, as presented by the applicant/owner, have been reviewed, and it has been determined that the proposed zoning will result in minimal impact on capital facilities.

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

This request will have minimal impact on fire and EMS. The Fire Department recommends the owner provide a twelve (12) foot all-weather road capable of supporting 75,000 pounds in order to provide access for fire apparatus and ambulances. This road should extend from the improved public road to the proposed dwelling.

PARKS AND RECREATION

Staff Contact: Brian Geouge (318-8720) geougeb@chesterfield.gov

The County supports a high-quality park system to provide residents and visitors with equitable access to active and passive recreation opportunities. The Public Facilities Plan, as part of the Comprehensive Plan, indicates:

County-wide Parks and Recreation Needs		
Park Type	Number of New Parks	Aggregate Acreage
Regional	3	600
Community	10	790
Neighborhood	9	180
Special Purpose	3 ¹	-
Urban ²	-	-
Linear ³	-	-

¹ The Public Facilities Plan notes facility recommendations for water-based parks. All other facilities are acquired and developed on a site-by-site basis.

² Facilities are recommended in urban areas where there is limited acreage available for park development.

³ Facility needs are assessed on a site-by-site basis as recommended in the Public Facilities Plan.

Parks and Recreation – Project Impacts	
2012 County Level of Service	5.9 Acres of Regional, Community and/or Neighborhood parkland per 1,000 persons
Target Level of Service	9 Acres of Regional, Community and/or Neighborhood parkland per 1,000 persons
Applicant's Proposal to Address Impacts ¹	The proposal, as conditioned, will result in minimal impact on capital facilities.

¹ The financial impact of residential development on parks facilities is addressed in the "Financial Impact on Capital Facilities" section of the report.

Additional Information:

Information relative to nearby parks and recreation facilities can be found in Attachment 2.

LIBRARIES

Staff Contact: Debra Winecoff (751-4475) winecoffd@chesterfield.gov

The public library system's role in the county has expanded beyond its traditional function as a resource for information and materials, and now serves as a community gathering place for educational, cultural and informational services; community support during emergencies; economic development; and revitalization activities. The Public Facilities Plan, as part of the Comprehensive Plan, indicates:

County-wide Library Needs	
Facility Action	County-wide Facility Needs
Expand or Replace	5 Libraries
Construction of New Facilities	<ul style="list-style-type: none">• 5 Libraries• 1 Community Arts Center

Libraries - Project Impacts	
Applicant's Proposal to Address Impacts ¹	The proposal, as conditioned, will result in minimal impact on capital facilities.

¹ The financial impact of residential development on library facilities is addressed in the "Financial Impact on Capital Facilities" section of the report.

Additional Library Information:

Information relative to nearby library facilities can be found in Attachment 2.

SCHOOLS

Staff Contact: Dr. Cynthia O. Richardson (318-8740) cynthia_o_richardson@ccpsnet.net

High performing, high quality public schools contribute to the quality of life and economic vitality of the County. The Comprehensive Plan suggests a greater focus should be placed on linking schools with communities by providing greater access, flexible designs and locations that better meet the needs of the communities in which they are located. The Public Facilities Plan, as part of the Comprehensive Plan, indicates:

County-wide School Needs		
School Types	Facilities to Revitalize/Replace	New Facilities
Elementary	16	3
Middle	6	2
High	2	3
Technical	-	1

Schools - Project Impacts		
Average Student Yield	Elementary	0
	Middle	0
	High	0
	Total	1
Applicant's Proposal to Address Impacts ¹	The proposal, as conditioned, will result in minimal impact on capital facilities.	

¹ The financial impact of residential development on school facilities is addressed in the "Financial Impact on Capital Facilities" section of the report.

Additional Information:

After review of this request, based on current school assignments and student enrollment, the proposed rezoning case will have a minimal impact on schools.

Information relative to schools currently serving area can be found in Attachment 2.

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804) 748-1037 banksj@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	Access to the site will require a Land Use Permit for the construction of a private entrance (serving no more than two (2) residences) at the existing easement connection to the Trefoil Way (Route 3818) cul-de-sac. The applicant can contact VDOT's permitting office at 804-674-2531 for permit issuance.
Summary	-

WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	No	6"	Yes
Wastewater	No	18"	Yes

Additional Information:

If water service line for dwelling is less than 400 feet, connection will be required. The proposed request will not impact the public water and wastewater systems.

ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Stormwater	
Issue	Discussion/Conditions
Floodplain	<ul style="list-style-type: none">• In 1986, original use as soccer fields was supported by Environmental Engineering:<ul style="list-style-type: none">○ Use permitted in floodplain○ Precluded single-family residences in floodplain• Currently, more sophisticated methods of floodplain establishment are available:<ul style="list-style-type: none">○ Original floodplain limits may have been overly conservative○ May be sufficient land area unencumbered by floodplain for single-family dwellings○ Environmental Engineering receptive to applicant pursuing new floodplain determination that is acceptable to the Federal Emergency Management Agency (FEMA)○ If FEMA approves, previous floodplain invalidated in favor of newly sanctioned FEMA floodplain limits on Powhite Creek○ If the results provide sufficient land area for compliance with Chesterfield County Floodplain Management Ordinance, Environmental Engineering is supportive of request for up to two (2) dwellings on property <p><i>Proffered Condition 2</i></p>

CASE HISTORY	
Applicant Submittals	
4/9/15	Application submitted
6/1/15	Proffered conditions were submitted
6/4/15	Revised proffered conditions were submitted
Community Meeting	
6/2/15	Issues Discussed <ul style="list-style-type: none"> • The applicant, District Planning Commissioner and staff attended this meeting at the Greenfield Elementary School library • No citizens or neighbors attended this meeting

PROFFERED CONDITIONS

1. Density. A maximum of two (2) single-family dwelling units shall be permitted. Any single-family dwelling shall be conveyed to an immediate family member. Each dwelling shall be located on an individual lot. (P)
2. Floodplain Delineation. Per county ordinance, any structure on the subject property is subject to the review of the Director of Environmental Engineering. Approval of this application in no way guarantees the suitability of the property for single family residential development. It is understood that the Director may require a FEMA approved flood plain map showing FEMA Flood Zone AE limits for Powhite Creek which reveal sufficient area on the property for residential development which is consistent with the Chesterfield County Flood Plain Management Ordinance. These FEMA flood plain limits shall be accurately depicted with one of the following documents:
 - a. Subdivision Record Plat; or
 - b. A building permit improvement sketch, if only one (1) dwelling is constructed. (EE)
3. Road Frontage & Access: No public road frontage shall be required for any dwelling located on the request property. Access shall be provided in accordance with Proffered Conditions 4, 5 and 6. (P)
4. Easement. Prior to approval of a building permit, the property owner shall provide a copy of a recorded instrument which will include the following:
 - a. A condition that shall require that no structure or fence shall be constructed to block the access.
 - b. A condition that shall require the land owner of the subject property to be responsible for maintenance of the access.
 - c. A fifteen (15) foot private access easement from Point A to Point B to Point C, as shown on Attachment 3. (P)
5. Driveway Standards. A twelve (12) foot wide roadway shall be constructed and maintained to all weather standards from Point A to Point B to Point C in accordance with the following standards:
 - a. This roadway shall consist of not less than the following: compacted soil sub-base with six (6) inches of compacted 21-B crushed stone, if an asphalt based surface is to be applied, it shall be designed and constructed to Chesterfield County subdivision street requirements or an equivalent design approved by the Subdivision Team, capable of supporting the projected 75,000 pound vehicle weight and shall be maintained to this standard. The roadway shall not be approved if it is rutted or potholed.
 - b. There shall be an additional one and a half (1.5) foot clear area beyond the edge of the roadway.

- c. There shall be a minimum vertical clearance of fourteen (14) feet of area above the roadway.
 - d. The newly constructed roadway shall have a maximum grade of ten (10) percent with the exception of the connection to the existing driveway which currently exceeds this requirement. The connection to the existing driveway shall be appropriately transitioned.
 - e. The minimum inside turning radius for any curve shall be twenty-seven (27) feet.
 - f. Any cross drains shall be designed to accommodate a minimum ten (10) year storm.
 - g. The final delineation of Point B to Point C, if the property is subdivided, shall be confirmed at time of subdivision plat review. (P)
6. Driveway Inspection. Prior to issuing a Certificate of Occupancy, the Planning Department shall inspect this roadway to determine compliance as set forth above. (P)

SUPPLEMENTAL PUBLIC FACILITIES STATISTICS										
Schools Currently Serving Area										
		Bon Air Elementary School			Robious Middle School			James River High School		
Current and Projected Figures ²	Capacity Categories	Membership	Functional Capacity	% Capacity	Membership	Functional Capacity	% Capacity	Membership	Functional Capacity	% Capacity
	2014	650	664	101	1255	1364	92	2070	2131	97
	2015	644	-	100	1295	-	95	2091	-	98
	2016	643	-	100	1329	-	97	2097	-	98
	2022	639	-	99	1331	-	98	2092	-	98
Trailers	Number of Trailers ¹	3			6			2		
¹ Trailers are not identified in the staff report for schools under 90% capacity.										
² Disclaimer: Please note that Projected Membership AND Functional Capacity are updated on an ANNUAL BASIS. They are based on the September 30 membership and Space Utilization Study Report for a given year. School boundary adjustments may be made to address over capacity levels.										

Nearby Public Facilities	
Fire Station	The Bon Air Fire Station, Company Number 4
EMS Facility	The Bon Air Fire Station, Company Number 4
Library	Bon Air Library
Parks & Recreation	Greenfield Athletic Complex, Huguenot Park



APPROVED PROFFERED CONDITIONS (86SN0149)

86S149 (Amended)

In Midlothian Magisterial District, R AND O ASSOCIATES requested rezoning from Residential Townhouse (R-TH) and Residential (R-7) to Residential (R-9) on approximately 80 acres lying approximately 130 feet off the north line of Looking Glass Road, also fronting approximately 3,150 feet on the south line of Southern Railroad. Tax Map 9-16 (1) Part of Parcel 1 (Sheet 3).

Mr. Jacobson stated the Planning Commission recommended approval of this request and acceptance of the applicant's proffered conditions. He noted that staff had prepared an addendum to the conditions to better stated the commission's recommendation.

Mr. Kenneth Owens stated the recommendation is acceptable, with the understanding that the intent of proffered condition 2 is that there will be no community swimming pools constructed on the subject site.

With respect to proffered condition 3, Mrs. Girone inquired if the intent of the condition is to include "heated" finished living space. Mr. Owens stated the condition meant "living area", since "heated space" would exclude areas such as solariums, Florida rooms, closets, pantries, etc., which are typically not heated and the condition would be more easily understood if it remained as written.

There was no opposition present.

Mrs. Girone stated she felt this project is to the advantage of the neighborhood as it reduces the density and makes the entire area single family residential neighborhood. She stated the developer has worked closely with the leadership in the civic association and they have done a good job.

On motion of Mrs. Girone, seconded by Mr. Dodd, the Board approved the request and accepted of the following proffered conditions:

1. The builder will convey to the Greenfield Soccer Association, at no cost to the Association, the open space land (described as such on the site plans) for the exclusive use of the Association.
2. No swimming pool will be constructed on the site.
(Note: At the February 25, 1987, Board of Supervisors meeting, the applicant's representative indicated that Condition 2 was intended to preclude the construction of community-type pools in the project.)
3. The single family homes shall have a minimum square footage of 1,600 square feet of finished living space.
4. The following shall be incorporated into the Restrictive Covenants:
 - a. The owner will strive to maintain the integrity of the property and leave as much natural area and trees as possible.
 - b. The single family homes shall be architecturally and cost comparable to the existing homes in Settlers Landing.

Ayes: Mr. Daniel, Mr. Applegate, Mr. Dodd and Mrs. Girone.
Absent: Mr. Mayes.

86S158

In Bermuda Magisterial District, DAVID A. BANTY AND GEORGE P.